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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

CASE NO. 3:10-md-2143 RS (JCS)

**STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING DEFENDANTS'  
RESPONSES TO PLAINTIFFS' THIRD  
AMENDED COMPLAINTS**

This document relates to:

DATE ACTION FILED: Oct. 27, 2009

ALL ACTIONS

1 WHEREAS, the Direct Purchaser Plaintiffs filed a Second Consolidated Direct Purchaser  
2 Class Action Complaint (“DP-SAC”) on September 23, 2011;

3 WHEREAS, the Indirect Purchaser Plaintiffs filed a Corrected Second Amended Class  
4 Action Complaint (“IP-SAC”) on October 18, 2011;

5 WHEREAS, following the Court’s Order Denying Motions to Dismiss (Apr. 19, 2012,  
6 Dkt. 531), Defendants filed their individual Answers to the DP-SAC and IP-SAC between June 4  
7 and August 17, 2012;

8 WHEREAS, on March 11, 2013, the Direct Purchaser Plaintiffs filed a Motion for Leave  
9 to File Third Consolidated Direct Purchaser Class Action Complaint (Dkt. 782), with a copy of  
10 their proposed third amended complaint attached;

11 WHEREAS, on March 25, 2013, certain Defendants filed a Statement of NonOpposition  
12 to the Direct Purchaser Plaintiffs’ Motion for Leave to File Third Consolidated Direct Purchaser  
13 Class Action Complaint (Dkt. 806);

14 WHEREAS, on April 15, 2013, the Court entered an Order Granting Motion for Leave to  
15 File A Third Consolidated Direct Purchaser Class Action Complaint (Dkt. 834);

16 WHEREAS, on April 17, 2013, the Direct Purchaser Plaintiffs filed their Third  
17 Consolidated Direct Purchaser Class Action Complaint (“DP-TAC”) (Dkt. 839);

18 WHEREAS, on March 14, 2013, the Court entered an Order to Amend Complaint and  
19 Voluntary Dismissal of Certain Class Representatives, pursuant to which the Indirect Purchaser  
20 Plaintiffs were permitted to file a Third Amended Complaint, for the purpose of making  
21 substitutions of certain proposed class representatives;

22 WHEREAS, on March 15, 2013, the Indirect Purchaser Plaintiffs lodged under seal a  
23 copy of their [Proposed] Third Amended Complaint, and then filed (i) a redacted version of their  
24 Third Amended Class Action Complaint (“IP-TAC”) on April 15, 2013 (Dkt. 832) and (ii) an  
25 under seal version of the IP-TAC on April 25, 2013 (Dkt. 848);

26 WHEREAS, the parties have agreed that, given the substantial overlap and nature of the  
27 amendments between the (i) DP-SAC and DP-TAC, and (ii) IP-SAC and IP-TAC, Defendants’  
28 previously filed Answers to the DP-SAC and IP-SAC shall be deemed sufficient for responding

1 to the DP-TAC and IP-TAC, respectively;

2 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the undersigned  
 3 counsel for the parties, that Defendants' previously filed Answers to the DP-SAC and IP-SAC  
 4 shall be deemed sufficient for purposes of responding to the DP-TAC and IP-TAC, respectively.  
 5 This means that to the extent a Defendant admitted, denied or objected to, in full or in part, any  
 6 allegation in the DP-SAC and IP-SAC, that Defendant shall be deemed to have admitted, denied  
 7 or objected to, in full or in part, the same substantive allegation set forth in the DP-TAC and IP-  
 8 TAC, respectively.

9 IT IS SO STIPULATED.

10 DATED: April 26, 2013

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\* \* \*

**IT IS SO ORDERED.**

DATED: 4/26/13



HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE

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